

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

DANA M. DREW,)	
)	
Petitioner,)	
)	Civil Action No. 12-283 Erie
v.)	
)	
OFFICE OF THE DISTRICT)	
ATTORNEY, et al.,)	
)	
Respondent.)	

MEMORANDUM ORDER

This habeas action was received by the Clerk of Court on November 13, 2012 and was referred to United States Magistrate Judge Susan Paradise Baxter for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rule of the Local Rules for Magistrates.

The Magistrate Judge's Report and Recommendation [ECF No. 14], filed on June 17, 2013, recommended that Respondents' Motion to Dismiss [ECF No. 10] be granted, that the Petition for Writ of Habeas Corpus filed by Petitioner be dismissed, and that a certificate of appealability be denied. The parties were allowed fourteen (14) days from the date of service to file objections and no objections were filed. After de novo review of the documents in the case, together with the Report and Recommendation, the following order is entered:

AND NOW, this 8th day of July, 2013;

IT IS HEREBY ORDERED that Respondents' Motion to Dismiss [ECF No. 10] is GRANTED, the Petition for Writ of Habeas Corpus filed by Petitioner is DISMISSED, and a certificate of appealability is DENIED.

The Report and Recommendation [ECF No. 14] of Magistrate Judge Baxter, filed on June 17, 2013 is adopted as the opinion of the Court.

s/ Sean J. McLaughlin
Chief United States District Judge

cm: All parties of record
Susan Paradise Baxter, U.S. Magistrate Judge